

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD GOSZTYLA,

Plaintiff,

v.

FRENCH, et al.,

Defendants.

No. 2:21-cv-01403-DJC-EFB (PC)

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 7, 2023, the undersigned filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 56. Plaintiff has filed objections to the findings and recommendations which asserts a new argument. ECF No. 57.

The court hereby ORDERS defendants to file a response to plaintiff's objections. In particular, defendants should address plaintiff's newly-asserted objection that defendants waived their right to make a statute of limitations argument. This response should be filed within fourteen days of the date of this order, and should be no longer than five pages in length.

So ordered.

Dated: February 16, 2024


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE